REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

Disposition of Claims

Claims 1-5, 7-11, and 13-17 are pending in the application. Claims 1, 7, and 13 are independent. The remaining claims depend, directly or indirectly, from claims 1, 7, and 13.

Claim Amendments

Claims 1, 5, 7, 11, 13 and 17 are amended to clarify the scope of the invention. Claims 3, 9, and 15 are amended to conform to the amendments to the independent claims. No new matter is added by way of these amendments as support can be found, for example, in pages 2-5, and Figures 1 and 2 of the originally filed specification.

Rejections under 35 U.S.C. § 103

Claims 1-5, 7-11, and 13-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,936,608 ("Springer") in view of U.S. Patent Publication No. 2003142140 ("Brown"). To the extent that the rejection may still apply to amended claims, the rejection is respectfully traversed.

"Obviousness [under 35 U.S.C. § 103] is a question of law based on underlying factual inquiries." MPEP § 2141. Specific factual inquiries for determining obviousness were laid out in *Graham v. John Deere Co. (Graham)*, 383 U.S. 1, 148 USPQ 459 (1966), and reiterated by the

Supreme Court in *KSR International Co. v. Teleflex Inc. (KSR)*, 550 U.S. ___, 82 USPQ2d 1385 (2007). The factual inquiries include:

> (A) Determining the scope and content of the prior art;
>
> (B) Ascertaining the differences between the claimed invention and the prior art; and
>
> (C) Resolving the level of ordinary skill in the pertinent art.

"The question of obviousness must be resolved on the basis of these factual determinations. While each case is different and must be decided on its own facts, the *Graham* factors, including secondary considerations when present, are the controlling inquiries in any obviousness analysis." MPEP § 2141. Applicant respectfully asserts that the Examiner has not factually supported a prima facie conclusion of obviousness for the amended claims.

Amended claim 1 requires that when an abnormal condition occurs in a computer system, the brightness of each pixel in a first area of a display screen is decreased by *shifting an RGB value of each pixel by the same coefficient* and each pixel in second area of the display screen is tinted by *adding the same increment value to an RGB value of each pixel*. Claim 1 further requires that decreasing the brightness of pixels and tinting of pixels is done such that the contents of the display screen remain visible.

In contrast, Springer discloses a system and method for "controlling the brightness of visual objects displayed on an electron beam flat panel display monitor used in a computer system." Springer at Abstract. More specifically, Springer discloses varying the brightness (*i.e.*, dimming or brightening) of pixels in selected visual objects (*e.g.*, a window or an icon or a group of windows or a group of icons) shown on a display monitor. *See* Springer at col. 5, lines 29-42. However, Springer is completely silent regarding shifting of pixel RGB values by a coefficient to decrease

brightness of pixels or tinting pixels by adding the same increment value to the RGB value of each pixel as required by claim 1.

Further, Brown does not provide what Springer lacks. Brown is directed to a "method, system, and program for adding various *tints* to a translucent displayable object to convey a status of a computing task." Brown at Abstract. In particular, Brown discloses using a process called alpha blending to achieve a transparent tint in displayable objects. *See* Brown at paragraph [0044]. In alpha blending, an alpha channel value associated with each pixel is used to determine the color of a pixel. *See Id.* More specifically, Brown discloses that "[t]hrough alpha blending, the process adds a fraction of the color of the transparent object set by the alpha channel value to the color of the displayable object below. Mixing the colors together gives the appearance that the displayable object below is seen through a layer of the transparent displayable object." *Id.* Alpha blending to achieve a translucent tint is clearly different from tinting each pixel by adding the same increment value to the RGB value of each pixel as required by amended claim 1. Furthermore, Brown is completely silent regarding shifting of pixel RGB values by a coefficient to decrease brightness of pixels as required by amended claim 1.

In view of the above, Springer and Brown, whether considered together or separately, do not render amended claim 1 obvious. Amended claims 7 and 13 include limitations similar to those of amended claim 1 and are thus are patentable over Springer and Brown for at least the same reasons. Claim 2-5, 8-11, and 14-17 depend directly or indirectly from claims 1, 7, and 13 and are patentable over Springer and Brown for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 33227/060001; SUN070736).

Dated: April 9, 2008   Respectfully submitted,

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